

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

(ECF)

RAKHITHA WEERASINGHE and SKYY
SEGARRA,

: 12 Civ. 4918 (WHP) (JCF)

Plaintiffs,

: REPORT AND
: RECOMMENDATION

- against -

JANET NAPOLITANO, Secretary,
Department of Homeland Security,
ALEJANDRO MAYORKAS, Director,
United States Citizenship &
Immigration Services, and ROBERT M.
COWAN, Director, U.S. Citizenship
& Immigration Services, National
Benefits Center,

Defendants.


USDS SDNY DOCUMENT ELECTRONICALLY FILED DOCKET # _____ FILED: 12/20/12
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TO THE HONORABLE WILLIAM H. PAULEY, U.S.D.J.:

The complaint in this action was filed on June 22, 2012. However, service on the defendants was never effected. By letter dated November 7, 2012, I advised the plaintiffs' attorney to submit within two weeks a letter setting forth any reasons why the action should not be dismissed. Counsel never responded. I therefore recommend that the complaint be dismissed without prejudice under Rule 4(m) of the Federal Rules of Civil Procedure. Pursuant to 28 U.S.C. § 636(b)(1) and Rules 72, 6(a), and 6(d) of the Federal Rules of Civil Procedure, the parties shall have fourteen (14) days from this date to file written objections to this Report and Recommendation. Such objections shall be filed

with the Clerk of the Court, with extra copies delivered to the chambers of the Honorable William H. Pauley, Room 2210, and to the chambers of the undersigned, Room 1960, 500 Pearl Street, New York, New York 10007. Failure to file timely objections will preclude appellate review.

Respectfully submitted,


JAMES C. FRANCIS IV
UNITED STATES MAGISTRATE JUDGE

Dated: New York, New York
December 20, 2012

Copies mailed this date:

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